

Honolulu, Hawaii

FEB 28 2013

RE: S.B. No. 452  
S.D. 2

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 452, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE  
UNIVERSITY OF HAWAII,"

begs leave to report as follows:

The purpose and intent of this measure is to reestablish the Governor's authority to nominate and, with the advice and consent of the Senate, appoint the members of the Board of Regents of the University of Hawaii (Board of Regents) by repealing the Candidate Advisory Council for the Board of Regents of the University of Hawaii (Candidate Advisory Council), effective upon ratification of an amendment to article X, section 6, of the Hawaii State Constitution that repeals provisions related to the Candidate Advisory Council.

Your Committee received testimony in support of this measure from the Policy Office of the Governor. Testimony in opposition to this measure was submitted by the University of Hawaii Regents Candidate Advisory Council.

Since the passage of Act 56, Session Laws of Hawaii 2007, to implement the amendments to article X, section 6, of the Hawaii State Constitution, your Committee finds that while the Candidate Advisory Council has nominated several outstanding appointees to the Board of Regents, a number of issues have arisen regarding the method of Regent selection that has hampered the work of the Candidate Advisory Council and led to questions regarding the



final selection of appointees during the Senate confirmation process. The latest example is the Senate's rejection of two of the Governor's nominees to the Board of Regents during the Regular Session of 2011.

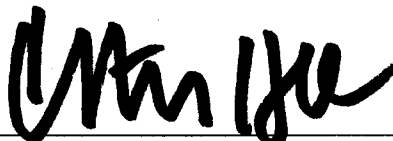
Your Committee further finds that the Governor will not be able to adequately select nominees to the Board of Regents unless the Governor has more control and involvement in the recruitment and selection process. Your Committee believes that it is appropriate to reassess and seriously consider repealing the Candidate Advisory Council.

Your Committee has amended this measure by:

- (1) Authorizing the Board of Regents to elect one vice-chairperson, rather than up to two vice-chairpersons; and
- (2) Amending the timing of election and term dates of the Board of Regents' chairperson and vice-chairperson.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 452, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 452, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Labor,



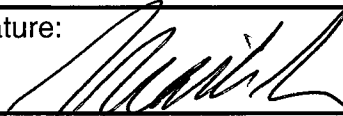
---

CLAYTON HEE, Chair



The Senate  
Twenty-Seventh Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 452 SD1</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">HRE, JDL</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/22/13</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313         </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike				✓
IHARA, Jr., Les	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	4			1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted         <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-top: 10px; text-align: center;">  </div>				
Distribution: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

\*Only one measure per Record of Votes